



General Assembly

Substitute Bill No. 7394

January Session, 2019



AN ACT CONCERNING THE PROTECTION OF CONFIDENTIAL COMMUNICATIONS BETWEEN A FIRST RESPONDER AND A PEER SUPPORT TEAM MEMBER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this
2 section:

3 (1) "Peer support team member" means any person engaged in
4 directing or staffing any peer support program established by an
5 employer for the benefit of an employee who is a first responder;

6 (2) "First responder" means: Any peace officer, as defined in section
7 53a-3 of the general statutes; any firefighter, as defined in section 7-
8 313g of the general statutes; any ambulance driver, emergency medical
9 responder, emergency medical technician, advanced emergency
10 medical technician or paramedic, as defined in section 19a-175 of the
11 general statutes; and any telecommunicator, as defined in section 28-30
12 of the general statutes; and

13 (3) "Confidential communications" means all oral and written
14 communications transmitted in confidence between a first responder
15 and a peer support team member in the course of participation in an
16 employer established peer support program and all records prepared
17 by a peer support team member related to such first responder's

18 participation in such program.

19 (b) Except as provided in subsection (d) of this section, and unless
20 the first responder making the confidential communication waives the
21 privilege, no peer support team member shall disclose any confidential
22 communications (1) to any third person, other than a person to whom
23 disclosure is reasonably necessary for the accomplishment of the
24 purposes for which such member is consulted, (2) in any civil or
25 criminal case or proceeding, or (3) in any legislative or administrative
26 proceeding.

27 (c) No person in any civil or criminal case or proceeding or in any
28 legislative or administrative proceeding may request or require
29 information from any first responder relating to the first responder's
30 participation in a peer support program, including whether or not
31 such first responder at any time participated in such peer support
32 program.

33 (d) Consent of a first responder shall not be required for the
34 disclosure of such first responder's confidential communications:

35 (1) Where mandated by any other provision of the general statutes;

36 (2) Where a peer support team member believes in good faith that
37 the failure to disclose such confidential communications presents a
38 clear and present danger to any individual, including the first
39 responder; and

40 (3) Where the peer support team member was a witness or party to
41 an incident that resulted in the delivery of peer support services to the
42 first responder.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section

Statement of Legislative Commissioners:

In Section 1(a)(3), "in the course of the relationship with a first responder" was changed to "related to such first responder's participation in such program" for clarity; and the provisions of Section (1)(b) were restructured for clarity.

JUD *Joint Favorable Subst.*